



# Safeguarding Adults

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N.B: We are aware that official practice is to use the terms “service users” or “people using this service” to describe those receiving care. We prefer the term “client” and use it throughout our training package.

Key:



important



worksheet



example

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## Learning outcomes.

- Recognise factors causing an adult to be at risk.
- Identify types of abuse.
- Identify ways to reduce likelihood of abuse.
- Know how to recognise & report unsafe practices.

## Fundamental standards.

The fundamental standards are the standards by which CQC will inspect social care. The standards are based on the regulations from the Care Act 2014 and CQC have changed the focus for the purposes of inspection.

The fundamental standards are those standards that no care setting must fall below.

## The standards are based on five areas as follows:

<b>Safe.</b>	People are protected from abuse and avoidable harm.
<b>Effective.</b>	People's care, treatment and support show quality of life and promote good outcomes, and providers should show evidence to prove it.
<b>Caring.</b>	Care should be person centred involving dignity and respect, and compassion.
<b>Responsive.</b>	Following correct working procedures as agreed by your workplace and as set out in the client's care plan.
<b>Well led.</b>	Management leadership and governance should ensure all of the above happens. Staff training should be recognised and openness and fairness be apparent.

These areas are known as key lines of enquiry or KLOES. Each KLOE has a set of criteria which CQC use to check whether the fundamental standards are being met.

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The fundamental standards are as follows:

**Person centred care.** Ensuring that those receiving the care are at the centre of all decisions.

**Dignity and respect.** Providing the client with dignity and respect in all aspects of their care.

**Need for consent.** Asking the client's permission before carrying out tasks that affect them.

**Safe care and treatment.** Following correct working procedures as agreed by your workplace and the client's care plan.

**Safeguarding service users from abuse.** Following agreed working and safeguarding procedures and being aware of signs and symptoms.

**Meeting nutritional needs.** Being aware of dietary needs, working with the care plan, ensuring clients have the right equipment and conditions to eat.

**Cleanliness, safety and suitability of premises and equipment.** Carrying out required checks of premises and equipment, implementing cleaning rotas and carrying out safety checks.

**Receiving and acting on complaints.** Having a complaints policy and procedure in place that is accessible to all and act in accordance with the policy when dealing with complaints.

**Good governance.** Ensuring that all aspects of the workplace is overseen and policies and procedures are implemented and monitored regularly.

**Staffing.** Fit and proper persons employed.  
Fit and proper person requirement for Directors is followed.

**Duty of candour.** Relevant information must be volunteered to all persons who have or may have been harmed by the provision of services, whether or not the information has been requested and whether or not a complaint or a report about that provision has been made.

Our Redcrier manuals will provide your staff with training to support attainment of the fundamental standards.



## Introduction.

Abuse and neglect of adults in vulnerable situations has long been a 'hidden' issue, it is essential that we all recognise the importance of protecting those who are least able to protect themselves. The Care Act 2014 define the different ways in which abuse may occur and the types of people who may abuse and be abused, they also provide guidelines on recognising and reporting incidents. Individuals with a track record of poor practice, or who are intent on harming those they care for, should have no hiding place in the care workforce. The Government believes that everyone has a part in preventing, detecting and reporting neglect and abuse. This manual will give you the knowledge to recognise signs and symptoms and understand the process of reporting and responding.

Sample

## Unit One

### Responsibilities of safeguarding.

Employers and managers within the care sector have a legal duty to ensure that all staff receive training on issues such as discrimination, dignity and respect, and maintaining appropriate relationships with clients. They must also put in place procedures for staff, clients and their families to raise any concerns they may have; employees should be aware that they are protected by law when reporting suspicions. Employers should also recognise that factors such as stress may increase the likelihood of abuse occurring and that steps taken to improve staff wellbeing can have a positive effect on quality of care.

Sadly, in recent years, there have been too many instances where adults at risk have been harmed by either professionals, or other clients in care settings or family members in their own homes. The purpose of this manual is to make you aware of your responsibilities regarding the prevention of abuse, to help you to recognise it when it occurs and to enable you to identify correct methods of reporting it.

### What constitutes harm?

There are no criteria to rely on when trying to determine what constitutes harm. Some may say that we should only be concerned when harm is being done to another and not where a person is causing harm to themselves. Others may say that in causing harm to themselves, they may be harming those who care about them. Where safeguarding is concerned, harm is usually defined as ill treatment or the impairment of health and development. In order to prevent adults at risk coming to harm we should:

- Listen to concerns.
- Promote independence.
- Offer choice.

This enables the person to protect themselves.

### Protection of Freedoms Act 2012.

This Act makes significant changes to criminal record checks and checking against barred lists and are relevant to any organisation involved in work with adults, children and young people. The changes include merging the Criminal Records Bureau and the Independent Safeguarding Authority, to form the Disclosure and Barring Service (DBS).

The document is guidance for creating a multi agency approach to safeguarding and should be referred to when creating policies and procedures for safeguarding. This is to ensure that

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people at risk are protected effectively wherever they live. The Care Act 2014 places legal duties on the local authorities to ensure good safeguarding practice by setting up Safeguarding Adults Boards (SABs). These are multi agency and are required to make enquiries if someone is being abused or neglected and review cases where people have died.

## Local Guidance Documents.

All local authorities have been given the brief to co-ordinate agencies to work together to safeguard adults and children.

## The Care Act 2014.

The Care Act aims to build on good practice in statute as well as embedding new reforms to provide clearer and fairer care and support to those who need it, rather than just focusing on those with eligible needs and those who are state funded. It should provide for a more person centred approach in social care as well as putting a greater focus on prevention and wellbeing. Local authorities will have a wider brief to ensure all of this happens in their local area.

The Care Act aims to put people firmly in control of their own care and support. This will help to improve independence and wellbeing and ensure all aspects of a person's life are supported.

Local authorities will be expected to provide access to a variety of services to prevent people needing ongoing care and support. Criteria for assessment of eligibility will be clearer and more accessible for those needing it. Local authorities will also need to ensure there are a wide variety of care provisions and services and that information advice and advocacy are available as needed.

The principle of **wellbeing** underpins the Act and should be considered in all decision making.

A duty of candour has been placed on all providers ensuring they are open and honest in all of their dealings with their clients.

Under the Care Act 2014, your local authority has the lead role in relation to adult safeguarding.

It must:

- Make enquiries, or ensure others do so, if it believes an adult is subject to, or at risk of abuse or neglect.
- Establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom.
- Establish a safeguarding adults board (SAB).
- Arrange, where appropriate, for an independent advocate.
- Cooperate with other authorities professionals or organisations as relevant to its role as lead.

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## **Mental Capacity Act 2005.**

This act aims to empower those who are unable to protect themselves or make their own choices by providing them with someone to act in their best interests.

## **Human Rights Act 1998.**

Human rights are the basic rights and freedoms that belong to every person in the world. In 1948 the United Nations adopted the Universal declaration of human rights, which recognised that all human beings have basic rights and freedoms. Non discrimination, equality and fairness formed the basis of the declaration. From this declaration the convention for the protection of human and fundamental freedoms was born and is monitored by the council of Europe. In the UK The Human Rights Act 1988 is an interpretation of this convention.

There are five factors arising from the Human Rights Act and these underpin the Person centred approach:

- Fairness.
- Equality.
- Respect.
- Dignity.
- Independence.

## **Data Protection Act 1998.**

This Act controls how our personal information is used by organisations, businesses or the government. Everyone who uses data must follow a set of principles to ensure safe handling, use and storage. This prevents data from falling into the wrong hands which could increase the likelihood of abuse.

## **Equality Act 2010.**

This act protects people from being discriminated against on the grounds of the 9 protected characteristics race, religion or belief, gender, sexual orientation, age, disability, gender reassignment, marriage or civil partnership and pregnancy or maternity.

## **Confidentiality.**

Your workplace should have a policy and procedure in place which should identify the following:

- Information will only be shared on a need to know basis.
- Information can only remain confidential if it is in the best interests of the individual.



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- Consent from the individual or their representative should be sought before handing over information unless the individual is at risk and concerns are sufficient to override this.

## Dignity and respect.

Dignity and respect are key factors in ensuring good practice underpins all aspects of your work and life in general. Dignity and respect can mean different things to different people. It is about finding out how a person wants to be treated and ensuring we treat them that way each time, respecting their privacy and treating them as an individual.

## Changes to the definition of regulated activity.

A single DBS certificate is sent to the individual, no longer sending copies to organisations. Employers can buy into the update service, which will enable them to check an individual's certificate is current and valid for the intended setting.

The minimum age for anyone to apply for a DBS has been set at 16.

Information that remains the same:

- Appropriate referrals must still be made to the ISA (Independent Safeguarding Authority).
- You must not engage someone you know has been barred by the ISA.

The new definition of regulated activity related to adults no longer labels adults as "vulnerable". Instead the definition identifies the activities which, if any adult requires them, lead to that adult being at risk at the time of using them.

This means that the focus is on the activities required by the adult and not on the setting in which the activities take place.

Many of us maybe at risk at some point in our lives due to illness, mental health issues, disability or physical impairment.

## Adult at risk:

- Understand the implications of their situation and the risks to themselves.
- Take action themselves to prevent abuse.
- Participate to the fullest extent possible in decision making about interventions involving them, be they life changing events or everyday matters.

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## Six safeguarding principles:

### **Empowerment.**

Support and encourage client to make decisions. Safeguarding must be person led.

### **Prevention.**

Take action before harm occurs.

### **Proportionality.**

The least intrusive response appropriate to the risk presented.

### **Protection.**

Support and representation for those in greatest need.

### **Partnerships.**

Multi agency working including the clients local community to ensure that neglect and abuse are prevented, detected and reported.

### **Accountability.**

All safeguarding practice must be accountable and transparent.

## Your responsibilities in recognising and preventing abuse:

- Undertaking training in recognising abuse.
- Understanding your workplace's safeguarding policies and procedures.
- Supporting clients in your workplace to understand how to raise concerns about abuse.
- Taking immediate action to address and or stop abuse from occurring and following correct procedures.
- Being aware of your rights under the Public Interest Disclosure Act 1998. Responding to individuals in your workplace in a person centred way.
- Familiarising yourself with other legislation relevant to safeguarding:
  - Human Rights Act 1998.
  - Data Protection Act 1998.
  - Mental Capacity Act 2005.

Although this manual is concerned with the safeguarding of adults you should be aware that if you, in the course of your work, come across a child who may be being abused, or is at risk of being abused, you have a duty to report your suspicions to your manager, or if this would not be appropriate you should contact your local safeguarding children board or police child protection team. See your workplace policies and procedures. Further information on this subject can be seen in Unit Six.

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## Unit One Questions

1. What is the name of the Act introduced in 2012 that makes changes to Disclosure and Barring Service (DBS) checks and checking against barred lists?
2. Name two changes resulting from this act?
  - 1.
  - 2.
3. What is the minimum age for anyone applying for a DBS?
4. How can you make sure you are aware of how to recognise and prevent abuse?